

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34171 of 2016

Arising Out of PS.Case No. -182 Year- 2015 Thana -MAHESI District-
EASTCHAMPARAN(MOTIHARI)

=====

Gagandeo Rai S/o Late Dayali Rai Resident of village- Manjan Chhapra,
P.S.- Mehsi, District- East Champaran

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar Singh, Adv.

For the Opposite Party/s : Mr. Rana Randhir Singh, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

4 30-09-2016 Heard both sides.

The petitioner apprehends his arrest in Mehsi P.S. Case No. 182/2015, G.R. No. 6042/2015, registered for the offences punishable under Sections 307, 399, 402, 216A, 353 and other sections of the Indian Penal Code and under Section 27 of Arms Act.

The informant police officer raided a place in order to arrest Dharmendra Rai @ Mirchaiya against whom warrant of arrest was issued and found that the accused persons had assembled to commit cognizable offence. Dharmendra Rai @ Mirchaiya was apprehended, but the other accused persons forcibly got him free from the custody of the police.

Learned counsel for the petitioner submits that petitioner is father of the accused Dharmendra Rai @ Mirchaiya. Petitioner was not present at the place of occurrence. Other accused persons have already been granted anticipatory bail vide order passed in Cr. Misc.17068/2016.

It appears that petitioner is the father of Dharmendra Rai @ Mirchaiya against whom warrant of arrest was issued and he was apprehended by the police, but the petitioner and other accused persons forcibly got Dharmendra Rai free from the custody of the police. Anticipatory bail was granted to female accused, but the case of petitioner Gagandeo Rai stands on quite different footing and petitioner played pivotal role in getting free Dharmendra Rai from the custody of the police.

Considering the facts aforesaid, I am not inclined to enlarge the petitioner above-named on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J.)

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